

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25351 of 2026

Arising Out of PS. Case No.-327 Year-2025 Thana- Kavaia District- Lakhisarai

Prashant Kumar @ Prashant Kumar @ Dhuntun S/o Pramod Thakur @
Pramod Sharma R/o vill - Kiul Basti, Panchana Road, ward no. 22, P.s-
Kabaiya, Distt.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 10-07-2026 Heard Mr. Amrendra Kumar, learned counsel for the

petitioner and Mr. Akshay Lal Pandit, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
08.09.2025, in connection with Kabaiya P.S. Case No. 327 of
2025, F.I.R. dated 27.08.2025 registered for the offences
punishable under Sections 140(3) of the B.N.S., 2023 and later
on Sections 103(1)/238 of the B.N.S. was added.

3. The prosecution case, in brief, is that the son of the
informant namely Sikander Kumar has not returned home since
25.08.2025. It is next alleged that when they tried to reach his
mobile number i.e. 7632843079, is also switched off as such the
informant is frightened that some mishap has taken place with



his son.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. Initially, the petitioner was not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of confessional statement of co-accused person, namely, Satish Kumar and except the aforesaid, nothing cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and as per confessional statement of co-accused persons they have stated that co-accused persons namely Satish Kumar and Mohit Kumar tied the neck of the deceased by towel and after that they have disposed of the dead body of the deceased. Learned counsel for the petitioner further submits that said co-accused persons, namely, Satish Kumar and Anup Kumar have been granted regular bail by a Coordinate Bench of this Court vide order dated 01.04.2026 passed in Cr. Misc. No. 2773 of 2026 and its analogous case, another co-accused person, namely, Rahul Kumar @ Golu has been granted regular bail by this Court vide order dated 02.04.2026 passed in Cr. Misc. No. 10069 of 2026 respectively. He further submits that the police after investigation submitted



chargesheet against the petitioner and the petitioner is in custody since 08.09.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner .

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the petitioner was not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused person and the said co-accused person has been granted bail by a Coordinate Benche of this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Kabaiya P.S. Case No. 327 of 2025, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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